



General Assembly

**Substitute Bill No. 5406**

February Session, 2004

\* \_\_\_\_\_HB05406PH\_\_\_\_\_030504\_\_\_\_\_\*

**AN ACT ESTABLISHING A MEDICATION TECHNICIAN PILOT PROGRAM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2004*) (a) For purposes of this  
2       section and section 2 of this act, (1) "medication technician" means an  
3       individual who (A) is currently listed in good standing on the state of  
4       Connecticut nurse's aide registry pursuant to section 20-102bb of the  
5       general statutes, and has maintained said registration for a minimum  
6       period of two years, (B) has been recommended by the director of  
7       nurses at the facility at which the nurse aide is employed, (C) has a  
8       high school degree or equivalent, (D) has taken and passed a literacy  
9       and reading comprehension screening process prescribed by the  
10      Department of Public Health, and (E) has successfully completed a  
11      medication technician training program approved by the department,  
12      and (2) "facilities" means chronic and convalescent nursing homes and  
13      rest homes with nursing supervision, licensed pursuant to chapter  
14      368v of the general statutes.

15      (b) The Commissioner of Public Health shall establish a pilot  
16      program to implement and evaluate the use of medication technicians  
17      in chronic and convalescent nursing homes and rest homes with  
18      nursing supervision, licensed pursuant to chapter 368v of the general  
19      statutes. The pilot program shall commence on or before April 1, 2005,

20 and shall terminate not later than September 30, 2007.

21 (c) The commissioner shall designate no more than thirty facilities to  
22 conduct the pilot program. Facilities may apply for designation on  
23 forms prescribed by the department. In reviewing applications for  
24 participation, the commissioner shall consider factors including, but  
25 not necessarily limited to, facility size, geographic location, patient care  
26 history and staffing patterns in accordance with state and federal  
27 requirements.

28 (d) Designated facilities may permit medication technicians and  
29 individuals completing the clinical component of an-approved  
30 medication technician training program to administer oral and topical  
31 nonprescription drugs and legend drugs, except for controlled  
32 substances as defined in section 21a-240 of the general statutes, as  
33 amended, under the direct supervision of a registered nurse and in  
34 accordance with a standard written protocol developed by the  
35 department. Medication technicians and individuals enrolled in a  
36 medication technician training program shall only administer such  
37 medications in accordance with this subsection.

38 (e) The department shall approve medication technician training  
39 programs that include, but are not necessarily limited to, the following  
40 components: (1) Seventy-five hours of classroom instruction, which  
41 shall include a minimum of forty-five hours of pharmacology training;  
42 (2) supervised practical experience of eighty clinical hours; (3) a final  
43 written examination; and (4) a final practical examination administered  
44 by a registered nurse. No approved training program shall charge  
45 individuals for participation in the program without the prior written  
46 approval of the department.

47 (f) Medication technicians shall not be counted when calculating the  
48 minimum required staffing levels and staff-to-resident ratios required  
49 by the department.

50 (g) The facility participating in the pilot program shall provide for a  
51 one-to-one ratio of registered nurses to medication technicians and

52 individuals completing the clinical component of a medication  
53 technician training program.

54 (h) No provision of chapter 378 of the general statutes shall be  
55 construed as prohibiting the administration of oral or topical  
56 medications by medication technicians, to persons who reside in a  
57 facility, when such medication is administered under the direct  
58 supervision of a registered nurse, pursuant to the written order of a  
59 physician or a physician assistant licensed under chapter 370 of the  
60 general statutes, a dentist licensed under chapter 379 of the general  
61 statutes, or an advanced practice registered nurse licensed under  
62 chapter 378 of the general statutes; nor shall it be construed as  
63 prohibiting registered nurse's aides who are enrolled in an approved  
64 medication technician training program from performing such work as  
65 is incidental to their course of study.

66 Sec. 2. (NEW) (*Effective October 1, 2004*) (a) All facilities designated  
67 to participate in the pilot program established pursuant to section 1 of  
68 this act shall agree to comply with the medication technician pilot  
69 program protocol as developed by the Department of Public Health  
70 pursuant to subsection (d) of section 1 of this act, and to submit  
71 periodic reports to the department, in accordance with such protocol.

72 (b) (1) The reports shall include, but not necessarily be limited to,  
73 listing of individuals participating in a medication technician training  
74 program, listing of individuals who have successfully completed a  
75 medication technician training program and are being utilized as  
76 medication technicians and listing of all medication errors made by  
77 medication technicians or individuals enrolled in an approved  
78 medication technician training program.

79 (2) The department shall collect listings of medication errors from  
80 not less than ten chronic and convalescent nursing homes or rest  
81 homes with nursing supervision licensed pursuant to chapter 368v of  
82 the general statutes that are not participating in the medication  
83 technician pilot program.

84 (c) Each facility shall provide detailed reports to the department.  
85 The detailed reports shall include all information required by  
86 subsection (b) of this section, plus an analysis of time spent with  
87 patients by registered nurses before and after the pilot program began,  
88 analysis of all medication errors listed pursuant to subdivision (1) of  
89 subsection (b) of this section and such other information as the  
90 Commissioner of Public Health may require.

91 (d) Facilities shall not allow a medication technician to administer  
92 medications if a pattern of medication errors is noted or if the  
93 medication technician is found to have diverted any patient  
94 medication.

95 (e) Approval to participate in the pilot program may be revoked at  
96 any time for failure to comply with the provisions of this section and  
97 section 1 of this act or the medication technician pilot program  
98 protocol.

99 (f) The department shall designate thirty facilities not participating  
100 in the pilot program established pursuant to section 1 of this act to  
101 submit periodic reports to the department. Such facilities shall be  
102 comparable in size to the facilities participating in the pilot program.  
103 The reports required pursuant to this subdivision shall be submitted to  
104 the department on a schedule established by the department, and shall  
105 include, but need not be limited to, an analysis of the amount of time  
106 nurses in nonparticipating facilities spend with patients and the  
107 specific functions performed by such nurses.

108 (g) The Commissioner of Public Health shall report, in accordance  
109 with section 11-4a of the general statutes, to the joint standing  
110 committee of the General Assembly having cognizance of matters  
111 relating to public health not later than January 1, 2006, and annually  
112 thereafter until the pilot program terminates, concerning the results of  
113 such pilot program. The report shall include, but not be limited to,  
114 recommendations regarding state certification and or registration of  
115 medication technicians.

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| This act shall take effect as follows: |                        |
| Section 1                              | <i>October 1, 2004</i> |
| Sec. 2                                 | <i>October 1, 2004</i> |

**PH**      *Joint Favorable Subst.*